

Jakobsson 45-1-1

REMARKS

The present application was filed on April 27, 2001 with claims 1-28. Claims 1-28 are currently pending in the application. Claims 1, 15, 27 and 28 are the independent claims.

In the Office Action, claims 1-6, 8-12, 14-20 and 22-28 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,257,638 (hereinafter "Walker"). In addition, claims 7, 13 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Walker in view of U.S. Patent No. 5,018,196 (hereinafter "Takaragi").

In response to the recent Office Action, Applicants respectfully traverse the 102(e) and 103(a) rejections, on the ground that Walker fails to meet all the limitations of the pending claims prior to the amendments herein, and Takaragi fails to supplement the deficiencies of Walker. Notwithstanding the traversal, Applicants choose to amend the independent claims 1, 15, 27 and 28, without prejudice, to include limitations similar to those found in dependent claims 11 and 12. Applicants respectfully request that these amendments be entered under 37 C.F.R. 1.116(b)(2) because they remove issues for appeal. Since the amendments are derived at least in part from existing dependent claims (i.e., claims 11 and 12) that have already been considered, they do not present new issues requiring further consideration or search. Applicants respectfully submit that the amendments made herein are not made for reasons of patentability over Walker and Takaragi, but are instead made simply to clarify the claimed invention and to expedite prosecution.

With respect to the particular limitations included in the amendments to the independent claims, it is noted that the Examiner argues that the limitations of dependent claim 12 are anticipated by Walker at column 11, lines 8-20 (Office Action, pp. 9 and 10). Applicants respectfully disagree. Walker fails at least to describe the "tree structures" and "decision preimage values" set forth in the amended claims. As a result, Walker fails to describe each and every element of independent claims 1, 15, 27 and 28, as amended.

Applicants submit that dependent claims 2-6, 8-12, 14, 16-20 and 22-26 are allowable for at least the same reasons as their respective independent claims. Furthermore, with respect to the §103(a) rejection of dependent claims 7, 13 and 21 over Walker in view of Takaragi, Applicants

Jakobsson 45-1-1

respectfully submit that Takaragi fails to supplement the above-described fundamental deficiencies of Walker as applied to amended independent claims 1 and 15.

Respectfully submitted,

Date: February 28, 2006

/Michael L. Wise/
Michael L. Wise, Reg. #55,734
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(845) 228-8138